

SENATE BILL 845

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11r2401

By: **Senator Dyson**

Introduced and read first time: February 14, 2011

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, February 18, 2011

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 22, 2011

CHAPTER _____

1 AN ACT concerning

2 ~~Health Occupations – Pharmacists – Administration of Vaccinations,~~
3 ~~Epinephrine, and Diphenhydramine – Children~~

4 FOR the purpose of ~~authorizing pharmacists to~~ altering the age of an individual to
5 whom a pharmacist may administer a certain ~~vaccinations and, under certain~~
6 ~~circumstances, epinephrine and diphenhydramine to certain individuals in~~
7 ~~accordance with certain regulations if certain requirements are met; requiring~~
8 ~~the State Board of Pharmacy to set certain fees~~ vaccination; requiring a
9 pharmacist to report a certain vaccination to a certain registry; altering
10 requirements for regulations relating to certain vaccinations; and generally
11 relating to the administration of vaccinations, ~~epinephrine, and~~
12 ~~diphenhydramine~~ by pharmacists to children.

13 BY repealing and reenacting, with amendments,
14 Article – Health Occupations
15 Section 12-508
16 Annotated Code of Maryland
17 (2009 Replacement Volume and 2010 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article – Health Occupations**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 12-508.

2 (a) ~~[(1) A] WITHOUT A PRESCRIPTION FROM A PHYSICIAN, A~~
 3 pharmacist may administer ~~[an influenza] A~~ vaccination to an individual, ~~AND IN THE~~
 4 ~~EVENT OF A SYSTEMIC REACTION TO THE VACCINATION BY THE INDIVIDUAL,~~
 5 ~~EPINEPHRINE AND DIPHENHYDRAMINE WHO IS AT LEAST 7 YEARS OLD,~~ in
 6 accordance with regulations adopted ~~under subsection (e) of this section~~ BY THE
 7 BOARD, IN CONSULTATION WITH THE DEPARTMENT.

8 (2) A pharmacist may administer a vaccination for pneumococcal
 9 pneumonia or herpes zoster, or any vaccination that has been determined by the
 10 Board, with the agreement of the Board of Physicians and the Board of Nursing to be
 11 in the best health interests of the community, to an individual~~],~~ if:

12 ~~[(i)] (1)~~ The individual is ~~[an adult] AT LEAST 7 YEARS OLD;~~

13 ~~[(ii)]~~ The individual has a prescription from a physician;

14 ~~[(iii)]~~ The pharmacist informs the prescribing physician that the
 15 vaccination has been administered;

16 ~~[(iv)] (2)~~ ~~[(If the prescribing physician is not the patient's~~
 17 ~~primary care physician, the] THE~~ pharmacist has made a reasonable effort to inform
 18 the patient's primary care physician that the vaccination has been administered; ~~[and~~

19 ~~[(v)] (3)~~ The vaccination ~~[is], EPINEPHRINE, AND~~
 20 ~~DIPHENHYDRAMINE ARE~~ administered in accordance with regulations adopted
 21 under subsection ~~(e)~~ (C)(1) of this section.

22 ~~(4) THE PHARMACIST MEETS THE QUALIFICATIONS AND~~
 23 ~~STANDARDS SPECIFIED IN REGULATIONS ADOPTED UNDER SUBSECTION (C) OF~~
 24 ~~THIS SECTION; AND~~

25 ~~(5) THE VACCINATION IS:~~

26 ~~(i) LISTED IN THE CENTERS FOR DISEASE CONTROL AND~~
 27 ~~PREVENTION RECOMMENDED IMMUNIZATION SCHEDULE; OR~~

28 ~~(ii) RECOMMENDED IN THE CENTERS FOR DISEASE~~
 29 ~~CONTROL AND PREVENTION HEALTH INFORMATION FOR INTERNATIONAL~~
 30 ~~TRAVEL.~~

31 (3) A PHARMACIST SHALL REPORT TO THE MARYLAND
 32 IMMUNIZATION REGISTRY AN INFLUENZA VACCINATION ADMINISTERED BY THE
 33 PHARMACIST TO AN INDIVIDUAL 7 TO 18 YEARS OF AGE.

1 (b) The Board shall set reasonable fees for the administration of
2 vaccinations, ~~EPINEPHRINE, AND DIPHENHYDRAMINE~~ in accordance with
3 subsection (a) of this section.

4 (c) (1) The Board, the Board of Physicians, and the Board of Nursing
5 shall meet at least annually to jointly develop, adopt, and review regulations to
6 provide for patient safety and to implement SUBSECTION (A)(2) OF this section.

7 (2) The regulations adopted under SUBSECTION (A)(1) OF THIS
8 SECTION AND paragraph (1) of this subsection shall require a pharmacist to submit a
9 registration form to the Board that includes verification that the pharmacist:

10 (i) Has successfully completed a certification course approved
11 by the Board that included instruction in the guidelines and recommendations of the
12 Centers for Disease Control and Prevention regarding vaccinations; and

13 (ii) Is certified in basic cardiopulmonary resuscitation and
14 obtained the certification through in-person classroom instruction.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2011.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.